

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ROCKWELL AUTOMATION, INC.,

*Plaintiff,*

v.

3S-SMART SOFTWARE SOLUTIONS  
GMBH,

*Defendant.*

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Case No. 2:15-cv-01543-JRG-RSP

**ORDER**

Before the Court is Plaintiff Rockwell Automation, Inc.'s ("Rockwell") Motion to Strike (Dkt. No. 102) Defendant's Notice of Supplemental Authorities in Support of its Motion on the Pleadings that the Asserted Claims of the '817, '225, and '567 Patents are Invalid for Failure to Claim Patentable Subject-Matter (Dkt. No. 97). Because Defendant's Supplement alerts the Court to recent decisions of the Court of Appeals for the Federal Circuit, Rockwell's motion to strike is **DENIED**. Given that Defendant included argument in the Supplement, however, Rockwell is granted leave to file a five-page response on or before Thursday, October 13, 2016.

**SIGNED this 3rd day of October, 2016.**

  
ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE